

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

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**WESCO INSURANCE CO.,**

**Plaintiff,**

**v.**

**ALPHA BAGAYOKO,**

**Defendant.**

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**CIVIL ACTION  
NO. 08-5449**

**ORDER**

**AND NOW**, this 4th day May, 2010, after a bench trial on the limited issue of whether a “phantom vehicle” was responsible for the accident, and for the reasons set forth in the Court’s Memorandum Opinion, the Court finds that the accident was caused by the negligence of an unidentified vehicle.

It is further **ORDERED** that the **STAY** on New Hampshire Insurance Company’s Motion to Intervene [Doc. No. 12] is **LIFTED**. Any party wishing to respond to the Motion may do so within **fourteen (14) days** of the date of this Order.

It is so **ORDERED**.

**BY THE COURT:**

**/s/ Cynthia M. Rufe**

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**CYNTHIA M. RUFÉ, J.**